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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/785,849	02/16/2001	Hans Christopher Sowa	CM04816H	2108
22917	7590	03/23/2005	EXAMINER	
MOTOROLA, INC. 1303 EAST ALGONQUIN ROAD IL01/3RD SCHAUMBURG, IL 60196			STULBERGER, CAS P	
			ART UNIT	PAPER NUMBER
			2132	

DATE MAILED: 03/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/785,849

Applicant(s)

SOWA ET AL.

Examiner

Cas Stulberger

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☐ Claim(s) \_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☒ Claim(s) 1-164 are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |   |  |
|---|--|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____  |

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
  - I. Claims 1-22 are, drawn to key distribution, classified in class 380, subclass 278.
  - II. Claims 23-43, and 57-61 are, drawn to split key, classified in class 380, subclass 286.
  - III. Claims 44-51 are, drawn to key encrypting key, classified in class 380, subclass 281.
  - IV. Claims 52-56 are, drawn to hand-off based cryptographic alteration, classified in class 380, subclass 272.
  - V. Claims 62-79 are, drawn to rekeying, classified in class 380, subclass 273.
  - VI. Claims 80-89 are, drawn to usage determination, classified in class 380, subclass 232.
  - VII. Claims 90-108 are, drawn to roaming, classified in class 455, subclass 432.1.
  - VIII. Claims 109-115 are, drawn to time delay, classified in class 380, subclass 35.
  - IX. Claims 116-128 are, drawn to interkey, classified in class 455, subclass 436.
  - X. Claims 129-131 are, drawn to multiple key, classified in class 380, subclass 45.
  - XI. Claims 132-138 are, drawn to static storage device, classified in class 380, subclass 264.
  - XII. Claims 139-152, 153-164 are, drawn to position dependent, classified in class 380, subclass 258.

The inventions are distinct, each from the other because of the following reasons:

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2. Inventions Group I and Group II-Group XII are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention Group I has separate utility such as a key distribution system. See MPEP § 806.05(d).

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group II-Group XII, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group II is not required for Group I, and Group III-Group XII, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group III is not required for Group I-Group II, and Group IV-Group XII, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group IV is not required for Group I-Group III, and Group V-Group XII, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group V is not required for Group I-Group IV, and Group VI-Group XII, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group VI is not required for Group I-Group V, and Group VII-Group XII, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group VII is not required for Group I-Group VI, and Group VIII-Group XII, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group VIII is not required for Group I-Group VII, and Group IX-Group XII, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group IX is not required for Group I-Group VIII, and Group X-Group XII, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group X is not required for Group I-Group IX, and Group XI-Group XII, restriction for examination purposes as indicated is proper.

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Because these inventions are distinct for the reasons given above and the search required for Group XI is not required for Group I-Group X, and Group XII, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group XII is not required for Group I-Group XI, restriction for examination purposes as indicated is proper.

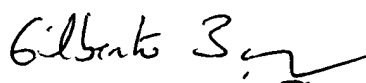
### *Conclusion*

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cas Stulberger whose telephone number is (571) 272-3810. The examiner can normally be reached on Monday - Friday, 9:00A.M. - 6:00P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on (571) 272-3810. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



  
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